

**● PRINTER RUSH ●**  
**(PTO ASSISTANCE)**

Application : 10/020,088 Examiner : Chow GAU : 2192

From: DP Location: IDC FMF FDC Date: 12/1/05

Tracking #: EPR 10/020,088 Week Date: 9/12/2005

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input checked="" type="checkbox"/> OATH	<u>NONE</u>	
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE: Oath/declaration is missing.

Please provide oath.

DP Thank you.

[XRUSH] RESPONSE: \_\_\_\_\_

Done

INITIALS: AC

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

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**FACSIMILE****FROM:**

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Client/Matter/Tkpr: 50277-1869 Date: 12/20/05 Time Sent: \_\_\_\_\_

Number of pages including this page: 5

**TO:**

Name	Company	Facsimile No.	Contact No.
Rori Burch	USPTO	703/746-6830	703/305-0333, x135

**MESSAGE:**

Application No. - 10/020,088  
Filing Date - December 12, 2001  
First Named Inventor - Vasundhara Venkatasubramanian  
Attorney Docket No. - 50277-1869  
Confirmation Number - 9986  
Examiner - Chow, C.  
Art Unit - 2192

Enclosed is a signed declaration included with the response to Notice to File Missing Parts of Application as requested per phone message to Marcel Bingham.

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service. Thank you.

Attorney Docket No.: 50277-1869  
(OID #2000-111-01)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Vasundhara Venkatasubramanian, et al. Confirmation No. 9986  
Application No.: 10/020,088 Group Art Unit: 2621  
Filed: December 12, 2001 Examiner: Not Yet Assigned  
Title: COMPUTER-BASED PRE-EXECUTION ANALYSIS AND VERIFICATION UTILITY  
FOR SHELL SCRIPTS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(f). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Executed Declaration. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.

(X) Power of Attorney and Revocation of Previous Powers.

(X) Recordation Form Cover Sheet and Executed Assignment (3 pages total)

(X) Check in the amount of \$910.00 in payment of:

(X) Statutory basic filing fee (Utility) \$740.00

(X) Missing Parts Surcharge \$130.00

(X) Assignment Recordation Fee \$ 40.00

(X) At any time during the pendency of this application, please charge to Deposit Account 50-1302 any fees required or credit any overpayment to this Deposit Account.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: February 19, 2002

Typed Name: CLARE FINNEY

Signature: Clare C. Finney

Respectfully submitted,

By 

BRIAN D. HICKMAN

Reg. No. 35,894

Date: February 18, 2002

Telephone No.: (408) 414-1080

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1600 Willow Street

San Jose, California 95125-5106

Attorney's Docket No.: 60277-1868  
(OJD 2000-111-01)

Patent

DECLARATION FOR PATENT APPLICATION

As a below named inventor(s), I hereby declare that:

My residence, mailing address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"COMPUTER-BASED PRE-EXECUTION ANALYSIS AND VERIFICATION UTILITY FOR SHELL SCRIPTS"

the specification of which

X is attached hereto.  
was filed on December 12, 2001 as  
United States Application Number 10/020,088  
or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.55 (copy attached).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), on any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>(Application Number)</u>	<u>(Filing Date)</u>
<u>(Application Number)</u>	<u>(Filing Date)</u>

I hereby claim benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 (copy attached) which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor (given name, family name) Vasundhara Venkatesubramanian  
 Inventor's Signature V. Vasundhara Date 12 Feb 2002  
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Full Name of Second Inventor (given name, family name) Ramgathapara K. Subramanya  
 Inventor's Signature R. Subramanya Date 12 Feb 2002  
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 Mailing Address 106/3rd Main, 11th Cross, Mallawaram, Bangalore 560003, INDIA

**Title 37, Code of Federal Regulations, Section 1.56**  
**Duty to Disclose Information Material to Patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

**BEST AVAILABLE COPY**